

**ORDINANCE NO. 1-93**

**AN ORDINANCE CLOSING PORTIONS OF ENUMERATED COUNTY ROADS  
TO AUTOMOBILE TRAFFIC AND PROVIDING FOR SNOWMOBILE USE**

BE IT ORDAINED by the Board of County Commissioners of the  
County of Madison, State of Montana:

As used herein, the following terms shall have the meaning  
indicated herein unless the context otherwise clearly requires that  
another meaning be extended:

**1. DEFINITIONS:**

(A) **MOTOR VEHICLE:** Motor vehicle means every vehicle  
propelled by its own powers and designated and used primarily to  
transport persons or property upon the roads and highways of the  
state, except snowmobiles as defined herein.

(B) **OPERATOR:** Every persons who operates or is in  
actual physical control of the operation of a vehicle.

(C) **OWNER:** Every person defined herein other than a  
lienholder or other person defined having a security interest only,  
holding record of title to a motor vehicle, and entitled to the use  
or possessions thereof.

(D) **PERSON:** An individual, partnership, association,  
corporation, and any other body or group of persons, whether  
incorporated or not, and regardless of the degree of formal  
organization.

(E) **ROAD:** The definition of road shall be that found  
in accordance with Section 61-1-201, et seq., MCA, 1991.

(F) **SNOWMOBILE:** Snowmobile includes any self-propelled

vehicle of an overall width of 48 inches or less, excluding accessories, designed primarily for travel on snow or ice, which may be steered by skis or runners and which is not otherwise registered or licensed under the laws of the State of Montana. Such definition shall include or encompass a vehicle customarily used for snowmobile trail whether it is 48 inches in width or over.

(G) VEHICLE: Vehicle means every device in, upon or by which any person or property may be transported or drawn upon the public ways, except snowmobiles as defined herein.

2. It shall be unlawful for any person to operate a motor vehicle of any character upon the traveled portion of the road, a portion of the roadway, borrowpits, or any portion of the right of way on those county roads or portions thereof described on Schedule A attached.

3. The roads or portions of roads designated on Schedule A shall be closed from December 1<sup>st</sup> in each year through April 1<sup>st</sup> of the following calendar year.

4. Snowmobile operation maybe permitted on the roadway or shoulder of any public road or highway, state highway, county road, or city street located within the boundaries of any municipality only in the event that the street, road, or highway is drifted or covered by snow to such an extent that travel thereon by other motor vehicles is impractical or impossible; the operator has received permission or is otherwise authorized for such travel by the municipality in the case of town or city streets, the board of county commissioners for county roads.

5. That portion of roads, roadway or county right of way

described on Schedule A attached are hereby designated as scenic Snowmobile trails. The operation of snowmobiles and snowmobile trail grooming equipment on such roads and portions of roads are hereby authorized.

6. Any person guilty of violating this ordinance shall be punished by a fine of not more than \$500.00 or a jail sentence of not more than 6 months or both such fine and jail sentence.

7. This ordinance shall be effective 30 days from passage and approval.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS FOR MADISON COUNTY, MONTANA, FIRST READING ON THIS 8th DAY OF February, 1993.

Byron Bayers  
BYRON BAYERS, ~~CHAIRMAN~~ COMMISSIONER

John Allhands  
JOHN ALLHANDS, COMMISSIONER

W.L. Hancock  
W.L. HANCOCK, COMMISSIONER ~~CHAIRMAN~~

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS FOR MADISON COUNTY, MONTANA, SECOND READING ON THIS 22nd DAY OF February, 1993.

Byron Bayers  
BYRON BAYERS, ~~CHAIRMAN~~ COMMISSIONER

John Allhands  
JOHN ALLHANDS, COMMISSIONER

W.L. Hancock  
W.L. HANCOCK, COMMISSIONER ~~CHAIRMAN~~

CORRECTION ON **ATTACHMENT A.** of Ordinance 1-93  
Filed on 3-3-93

- \*\* Ledford & Robb Creek Road from northline of Section 9, T9S, R4W South
- \*\* Ruby - Centennial Road from River Bridge South of Section 28, T9S, R3W
- \*\* Ramshorn Road from the corner of Sections 8,9,5,4, T5S, R4W to forest boundary
- \*\* Mill Gulch Road from the north line of Section 29, T5S, R3W to the forest boundary
- \*\* Granite Creek Road from the south line of Section 26, T5S, R3W to forest boundary
- \*\* Mill Creek Road from the Tobacco Root Guest Ranch to the forest boundary
- \*\* Garden Creek Road from the Garden Creek Cow Camp to the end of the road
- \*\* Cliff & Wade Lake Road from Hwy 287, Section 32, T11S, R2E to the Wade Lake Resort
- \*\* Axolotil Lake Road from the Shining Mountain Road (Varney Road West) Section 14, T7S, R2W to Virginia City
- \*\* Horn Creek Road from Section 7, T12S, R2E to Section 34, T12S, R2E
- \*\* River Road west of river from Hutchins Bridge, Section 10, T11S, R1E to Sundown Bench Gate
- \*\* Varney Road South from Bar 7 Ranch, Section 30, T7S, R1W to the Talc Mine Road
- \*\* Horse Creek Road south from the Johnny Gulch Road northline of Section 1, T9S, R1W, then south through game range to east west line of Section 13, T10S, R1W
- \*\* North Meadow Creek Road from Endecotts, SW 1/4 Section 2, T4S, R2W to the Forest Service Line at Section 33, T3S, R2W
- \*\* South Meadow Creek Road between the end of County Road eastline of Section 35, T4S, R2W to Forest Service Eastline Boundary
- \*\* Indian Creek Road, between CB Ranch Road and Bear Creek Road Intersection; Section 5, T9S, R1E, Southerly along the Section Line to the Armitage Ranch, Section 16, T9S, R1E
- \*\* Washington Creek Road from North Meadow Creek intersection from Section 13, T4S, R2W, to the Forest Service Eastline Section 16, T4S, R2W

FILE 101-B

042656

CORRECTION ORDINANCE 1-93

EXAMINED, APPROVED, ORDERED

FILED

*W. H. G. G. G.* 9-17-93  
BOARD OF COUNTY COMMISSIONERS

MADISON COUNTY COMMISSIONERS

AN ORDINANCE CLOSING PORTIONS OF  
ENUMERATED ROADS TO AUTOMOBILE  
TRAFFIC AND PROVIDING FOR  
SNOWMOBILE USE

RECORDER'S OFFICE  
Madison County, Montana } ss.

Filed SEPTEMBER 17 19 93

1:55

O'clock P.m

*Joseph G. G.*

County Recorder

By

Deputy

Fee \$ NONE